IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2567 OF 2005
IN
SUIT NO.1776 OF 1989

Jasmin Estate Developers .. Plaintiffs

Vs.

The Sangli Bank Ltd. and Ors. ..Defendants

Mr.M.P.Vamorkar for the plaintiffs

Mr.Santosh Shetty i/b M.P.Vashi for defendant no.2 and 3

Mr.Divekar Y.V. for defendant no.1

CORAM : S.U.KAMDAR, J
DATED : 16TH SEPTEMBER, 2005

P.C.:

1. By consent of the parties, motion is placed on board and called out.

2. The learned counsel for the plaintiffs in support of motion states that the entire property described in Ex.F of the plaint is in custody of Court Receiver pursuant to order dt.3.7.91. In that view of the matter, the learned counsel for defendant no.1 states that since the property is custodia legis they will not proceed against the said property before the DRT. The said statement

is also made in the light of the fact that hearing of the suit is expedited. Commissioner is appointed. In that view of the matter, nothing survives in the motion. Motion disposed of accordingly. No order as to costs.